

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

AUBREY CLARK AND WIFE,	§	CIVIL ACTION NO. 2:07-cv-191
KELLY CLARK	§	(Judge John T. Ward)
	§	
VS.	§	
	§	
KELLOGG BROWN & ROOT, LLC,	§	
BROWN & ROOT, INC n/k/a KELLOGG	§	
BROWN & ROOT, LLC, KBR, INC.	§	
d/b/a KELLOGG BROWN & ROOT	§	Pursuant to Rule 9(h) of
(KBR), INC. and HALLIBURTON	§	the Federal Rules of
COMPANY	§	Civil Procedure – ADMIRALTY

PLAINTIFFS' EXPERT AND FACT WITNESS LIST

NOW COME Plaintiffs, by and through their attorneys of record and pursuant to the requirements of the Federal Rules of Civil Procedure, makes these expert and fact witness disclosures as required by order of the Court:

Identity of Experts

Dr. Peter Infante
200 S. Oak Street
Falls Church, VA 22046
571-641-3047

Epidemiology, state of the art, exposure, liability, benzene-related scientific literature and scientific causation.

Dr. Frank Gardner
7602 Beluche
Galveston, Texas 77550
(409) 744-4924

Hematology/Oncology, liability, state of the art, medical causation, diagnosis, prognosis, reasonableness and necessity of medical care and treatment

Dr. John Dement
Duke University Medical Center
P.O. Box 2914
2200 W. Main, Suite 700 (27705)

Durham, NC 27710
(919) 286-1722

Epidemiology, Industrial hygiene, scientific causation, state of the art, benzene-related scientific literature, warnings, liability and safety and health programs.

Mr. Frank Parker
Caliche, Ltd
200 Brantley Lane
Magnolia, Texas 77354
(281) 356-6038

Industrial hygiene, state of the art, warnings, liability, exposure, safety and health programs, governmental regulations, industry standards and customs.

Kenneth G. McCain, Ph.D., C.F.A.
7670 Woodway, Suite 171
Houston, TX 77063
(713) 626-0144 office

Dr. McCain will testify in all areas concerning any financial losses incurred in the past and future relative to Aubrey and Kelly Clark.

John F. Martonik, CIH - deceased
8909 Moreland Lane
Annandale, VA 22003
(703) 425-5854

Industrial hygiene, state of the art, warnings, liability, exposure, safety and health programs, governmental regulations, industry standards and customs. Mr. Martonik is a consulting expert who's report and opinions may form, either in whole or in part, the basis of other opinions offered by other testifying experts designated by Plaintiffs herein. Defendants should have a copy of Mr. Martonik's report.

All experts, except John Martonik, are being identified as potential testifying experts. The basis for testimony and opinions will include education, training, experience, review of medical records in this case, review of exhibits, deposition testimony and discovery responses, and review of other appropriate materials. Mental impressions and factual information is available partially through medical records and patient account records, which have previously been made available through authorizations. Documents and tangible things prepared by experts may include medical records and patient accounts, which are being made available to all parties through authorizations. Other documents may include documents provided in response to subpoena duces tecum at time of experts' depositions and Defendants' internal documents. Specific articles/treatises relied upon

would best be discovered through deposition of the experts as well as any documents produced in this case.

Finally, this designation is intended to give notice of the potential use of the testimony of these individuals, whether such testimony be considered factual or expert in nature, should each prove to be necessary at the trial of this case. This expert designation includes these individuals and those defendants' witnesses deposed in the future. Plaintiff reserves the right to call expert witnesses as needed for rebuttal and/or impeachment. Curriculum vitae and resumes will be supplied prior to or at the deposition of experts.

Plaintiff/Plaintiff's Relatives and Family Friends:

Aubrey Clark - Plaintiff
P.O. Box 1016
Grapeland, Texas 75844
(936) 687-5094

Kelly Clark - Spouse/Plaintiff
P.O. Box 1016
Grapeland, Texas 75844
(936) 687-5094

As to the above listed persons, they will have information concerning the love, care and support provided by Mr. Clark. They know various details associated with Mr. Clark's work, including the identification of co-workers. They will also be able to describe the affect of leukemia on Mr. Clark, including the pain and suffering and mental anguish associated with this illness.

Co-Worker's/Other Potential Witnesses:

Clayton Williams
8968 Willis Road
Silsbee, Texas 77656
409/385-5429

George McGinnis
1908 Maple Street
Liberty, Texas 77575
936/334-0374

Burel Biddle
13572 FM 977 W.
Normangee, Texas 77871
936-396-5572

Charles E. Smith
P. O. Box 306
White Rock Rod
Bremond, Texas 76629
254-746-7320

Ricky Lambert
2106 W. Commerce St.
San Saba, Texas 76877
325-372-5408

Brad Young
8870 Reed Ranch Rd.
Silsbee, Texas 77656
409-385-6501

Plaintiffs would state that these co-workers might have information concerning the following:

1. Dates and locations of work on Brown & Root barges;
2. Job duties;
3. Use of solvents including benzene and naptha;
4. Lack of safety precautions;
5. Identity of other co-workers.

Plaintiffs further reserve the right to call any co-workers/potential witnesses listed by Defendants on Defendant's witness list.

Defendants' Employees/Representatives/Agents:

John Edward Hodges, Sr. – Health, Safety and Environmental Manager for Brown & Root.
6919 North Oak Bend
Alvin, Texas 77511
(281) 331-0709

Carl Richardson – Former Industrial Hygiene/Safety Manager for Brown & Root
2440 Smoke Rise Canyon
Bulverde, Texas 78163
(830) 980-3771

Steven Paul Sellers – Former Industrial Hygienist for Brown & Root
201 S. Heights Blvd., Apt. 2214
Houston, Texas 77007-5866
(713) 880-3327

Professor James Hammond, Deceased – Former Industrial Hygienist for ExxonMobil
By Deposition on Written Questions taken in Cause No. E-158,369; *Barbara Meekins vs. Brown & Root, Inc., et al*; In the 172nd Judicial District Court, Jefferson County, Texas

Any and all witnesses identified by any party to this litigation.

Any and all expert witnesses designated by any party to this litigation.

Medical Care Providers:

The following are treating oncologists, physicians and/or other medical providers of Mr. Clark's and may testify as to diagnosis, treatment, causation, prognosis, reasonableness and necessity of medical treatment and costs:

Debra Thomas – Oncologist
MD Anderson
1515 Holcombe Blvd.
Houston, Texas 77030
(713) 792-2121

Maria Cabinallas – Internal Medicine
MD Anderson
1515 Holcombe Blvd.
Houston, Texas 77030
(713) 792-2121

Physicians, staff and custodians of medical and patient account records of:
MD Anderson
1515 Holcombe Blvd.
Houston, Texas 77030
(713) 792-2121

Physicians, staff and custodians of medical and patient account records of:
Dr. Desia
Palestine Cancer Center
3415 S. Loop 256
Palestine, Texas 75801
(903) 727-2200

Physicians, staff and custodians of medical and patient account records of:
Dr. Coe
Palestine, Texas

Custodians of records may testify as to the authenticity of the records as well as the reasonableness and necessity of medical expenses.

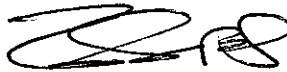
All medical care providers may be called to testify regarding causation and damages. This would include, but not be limited to, the diagnosis, treatment, disability, impairment, and prognosis of Plaintiff's medical condition as well as the reasonableness and necessity of medical expenses. Plaintiffs' have made medical and patient account records which may be relied upon by experts in this case, available through a limited medical authorization.

See also the following Fact Witness Designation and Witnesses Named by Defendants for additional persons who may give expert testimony regarding some specific issue relating to this lawsuit.

Plaintiffs hereby also reserve the right to call as expert witnesses, either live or by deposition testimony, any individual named as an expert witness by the Defendants to this litigation.

Respectfully submitted,

PROVOST & UMPHREY LAW FIRM, L.L.P.
490 Park Street
P. O. Box 4905
Beaumont, Texas 77701
(409) 835-6000 phone
(409) 838-8888 fax



By: _____

J. Keith Hyde
State Bar No. 10370250
Zona Jones
State Bar No. 10887600

&

Ernest Cannon
State Bar No. 03746000
505 N. Graham
Stephenville, Texas 76401
(254) 918-1006 phone
(254) 918-2005 fax

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing instrument was provided to all counsel in accordance with the Texas Rules of Civil Procedure on this the 23rd day of October, 2007.

A handwritten signature in black ink, appearing to read 'Zona Jones', written over a horizontal line.

ZONA JONES